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Patent

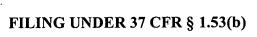
Art Unit:

Attorney Docket: 265/022

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 265/022
First Named Inventor: BURBANK et al.
Prior Application Information:
Serial No. 08/800,881
Examiner: P. Biagco

Commissioner for Patents Box Patent Application Washington, D. C. 20231



This is a request for filing for a divisional application under 37 CFR § 1.53(b) of pending prior application Serial No. 08/800,881 filed on February 14, 1997, by **BURBANK et al.**, entitled:

#### **HEMOFILTRATION SYSTEM**

<u>For CONTINUATION or DIVISION APPS only</u>: The entire disclosure of the prior application, from which an oath or declaration is supplied, referenced above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## I. APPLICATION ELEMENTS ENCLOSED

18	Page(s) of Written Description						
2	Page(s) of Claims						
1	Page(s) of Abstract						
7	Sheet(s) of Drawings						
2	Page(s) of Declaration or Declaration and Power of Attorney						
	Copy from prior application [37 CFR §1.63(d)]						
	Newly executed						
	Other:						
	Assignment papers (cover sheet and documents(s))						
$\boxtimes$	An Information Disclosure Statement, PTO 1449, [ with copies of cited items.						
	Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35						

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EL476731902US

Express Mail Label No.

June 27, 2001 Date of Deposit Chipia P. Pachaco

#### II. FEE CALCULATION

Applicant claims small entity status under 37 CFR 1.27.

BASIC FILING	FEE:							\$710.00
Total Claims	16	-	20	=	0	X	\$18.00	\$0.00
Independent Claims	1	-	3	=	0	x	\$80.00	\$0.00
Multiple Dependent Claims							\$0.00	
TOTAL OF ABOVE CALCULATIONS								\$710.00
Reduction by ½ for Filing by Small Entity.							$\boxtimes$	\$355.00
Misc. Filing Fees (Recordation of Assignment)								\$0.00
TOTAL FEES DUE HEREWITH								\$355.00

# **III. PRIORITY - 35 USC § 119**

	Priority of application Serial No filed on in <u>Country</u> is claimed under 35 USC § 119.
	The certified copy has been filed in prior U.S. application Serial Noon
П	The certified copy will follow.

### IV. AMENDMENTS

Cancel in this application original Claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes if no new claims are added in a preliminary amendment.)
A Preliminary Amendment is enclosed. (Claims added by Amendment must be

A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Patent Attorney Docket: 265/022

v.	RELATE BACK - 35 USC § 120						
	$\boxtimes$	Relate back information included in preliminary amendment or specification.					
		Please amend the specification as follows:					
		[Enter continuing data here]					
	$\boxtimes$	With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are) [37 CFR 1.53(b)(1)]:					
		the same.					
		less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted [see 37 CFR §§1.33(b) AND 1.63(d)(2)]:					
		[Name(s) of inventor(s) to be deleted]					
VI.	MET	HOD OF PAYMENT OF FEES					
	$\boxtimes$	Attached is a check in the amount of \$355.00.					
		Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of					
		Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR § 1.16(e) can be paid subsequently.]					
VII.	AUTI	HORIZATION TO CHARGE ADDITIONAL FEES					
	The C	ommissioner is hereby authorized to credit Lyon & Lyon's Deposit Account					
No. 12	2-2475	for any over payment of fees and to charge the following additional fees by this paper					
and du	uring the	e entire pendency of this application to Deposit Account No. 12-2475:  37 CFR § 1.16 (Filing fees and excess claims fees)					
	$\boxtimes$	37 CFR § 1.17 (Application processing fees)					
		37 CFR § 1.21 (Assignment recordation fees)					
VIII.	POW	ER OF ATTORNEY & CORRESPONDENCE ADDRESS					
		The power appears in the original papers in the prior application.					
		The power does not appear in the original papers, but was filed on in prior application Serial No					
•	$\boxtimes$	A new power has been executed and is attached.					

Please send all correspondence to Customer Number 22249:

PATENT TRADEMARK OFFICE

LYON & LYON LLP Suite 4700 633 W. Fifth Street

Los Angeles, CA 90071 (949) 567–2300 or (213) 489–1600

	Please	direct all inquiries to John Kappos, at	the a	ibove Cus	tomer Number.	•			
IX.	MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION								
		A petition, fee and response has been filed to extend the term in the pending <b>prior</b> application until A copy of the petition for extension of time in the <b>prior</b> application is attached.							
		A conditional petition for extension of time is being filed in the pending <b>prior</b> application. A copy of the conditional petition for extension of time in the <b>prior</b> application is attached.							
X.	ABAN	ABANDONMENT OF PRIOR APPLICATION							
		Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item V above.							
				Respect	fully submitted,				
		LYON & LYON LLP							
Dated:		e <b>27</b> ,2001	By:	_	Kappos No. 37,861 eys for Applicants				
Enclosi									
	ge Medio f Assignee		_						
	outh Unio of Assign	on St., Suite 501, Lawrence, MA 01843							
		e Officer horized to sign on behalf of assignee	<del>-</del> ,						